

USDC-SDNY DOCUMENT ELECTRONICALLY FILED DOC#: DATE FILED: 04/04/2022

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BMADDOX ENTERPRISES LLC,

Plaintiff,

v.

MILAD OSKOUIE, OSKO M LTD, and
PLATINUM AVENUE HOLDINGS PTY, LTD,

Defendants.

Case No. 17-cv-1889-RA-SLC

**FINAL JUDGMENT
AND PERMANENT
INJUNCTION ORDER**

MILAD OSKOUIE and PLATINUM AVENUE
HOLDINGS PTY, LTD,

Counterclaim Plaintiffs,

v.

BMADDOX ENTERPRISES LLC and
BRANDON MADDOX,

Counterclaim Defendants.

On August 18, 2021, the Court granted Plaintiff's motion for summary judgment against Defendant Milad Oskouie on Counts 1 and 2 of the Complaint. It also granted Plaintiff's motion for default judgment against Defendants Platinum Avenue Holdings Pty Ltd and Osko M Ltd ("Entity Defendants") on Counts 1 and 2. The Court determined that Plaintiff was entitled to statutory damages of \$100,000 against all Defendants on Count 1. It then referred the question of damages on Count 2 to Magistrate Judge Cave for an inquest. Judge Cave recommended that Plaintiff be awarded \$83,568.68 in damages against Entity Defendants as to Count 2; this Court adopted the Report & Recommendation. Plaintiff then indicated that he did not intend to proceed to trial on the remaining counts or as to damages against Oskouie on Count 2.

Accordingly, for the reasons described in those orders, the Court hereby finds that:

1. Defendants unlawfully and willfully copied, displayed, and created derivative works from Plaintiff's works in violation of the Copyright Act of 1976; and
2. Defendants' alleged unlawful actions caused irreparable harm to Plaintiff and will continue to cause immediate and irreparable injury to Plaintiff if the relief requested is not ordered.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants, their agents, servants, employees, attorneys, and all persons in active concert or participation with any of them, are permanently enjoined and restrained from:

1. Using without the authorization of Plaintiff any of Plaintiff's materials protected by copyright, including but not limited to Plaintiff's *Federal Firearms License Guide & Class 3 License Guide*, the HTML of Plaintiff's website at *ffl123.com*, and any content found at *ffl123.com* and protected by copyright, and;
2. Using without the authorization of Plaintiff any trademark, logo, or tradename that is confusingly similar to Plaintiff's federally registered trademark, FFL123, either alone or in conjunction with other words or symbols, as a part of any trademark, service mark, logo, trade name, corporate name, assumed name, domain name, on or in relation to any goods or services sold or provided by Plaintiff or Defendants, or in any other manner, including but not limited to use of FFLTRUST.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants, their agents, servants, employees, successors, and assigns, and all those acting in concert or participation with them, or, alternatively, the domain registries acting on their behalf, shall transfer to a person or entity of Plaintiff's choosing the *ffltrust.com* domain and any other domain currently owned by them or acquired in the future containing *ffltrust*.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that, in accordance with this Court's inherent equitable powers and its power to enforce compliance with its lawful orders, in the event Defendants violate this Final Judgment and Permanent Injunction and/or Plaintiff discovers any new websites registered or operated by Defendants containing or offering for sale, distribution, or download any material infringing Plaintiff's works or Plaintiff's trademarks or making use of Plaintiff's trade secret information ("Newly-Detected Domains"), Plaintiff may move the Court for a supplemental order ("Supplemental Order"), including to transfer to Plaintiff the Websites' domain names and/or the Newly-Detected Domains.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court shall retain jurisdiction over the parties and the subject matter of this litigation for the purpose of interpretation and enforcement of this Final Judgment and Permanent Injunction.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff shall serve a copy of this Decision and Order on Defendants and file a certificate of service with the Court by April 15, 2022.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants file an affidavit with the Court by April 29, 2022 setting forth in detail the manner and form in which they have complied with this injunction.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff is awarded:

1. statutory damages of \$100,000 against all Defendants; and
2. compensatory damages of \$83,568.68 against Entity Defendants.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court releases the \$10,000 security bond that Plaintiff submitted in connection with this action to Brandon Maddox.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that:

1. Any failure by Defendants to comply with the terms of this Order shall be deemed

contempt of Court subjecting Defendants to contempt remedies to be determined by the Court, including fines and seizure of property; and

2. This Court shall retain jurisdiction over this matter and the parties in order to construe and enforce this Order.

SO ORDERED.

Dated: April 4, 2022
New York, New York

A handwritten signature in blue ink, appearing to be 'R. Abrams', written over a horizontal line.

Honorable Ronnie Abrams
UNITED STATES DISTRICT JUDGE